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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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HUBERT CARY, 07-A-2385,

Plaintiff,

-v-

09-CV-6090P

SUPT. LEMPKE, et al.,

**ORDER**

Defendants.

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Plaintiff has submitted a complaint to the Court and seeks permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. In order for the Court to grant the request, it needs sufficient information on which to base its determination.

Here, the documentation plaintiff has submitted is inadequate to permit the Court to evaluate the request, because plaintiff has neglected to have prison officials complete the required prison certification section of the application form, without which the Court cannot grant the request and put the case forward. Because this section of the application form must be completed and signed by a prison official, plaintiff may have until **April 24, 2009** to submit a supplementary application which includes a completed prison certification section.

The Clerk of the Court is directed to send plaintiff a new form application to proceed as a poor person.

By **April 24, 2009**, plaintiff must either submit the supplemental application form with a completed and signed prison

certification or pay the full filing fee of \$350.00. Plaintiff is forewarned that failure to comply with this order by either submitting the supplemental application with a signed certification section or paying the filing fee by the designated date will result in the dismissal of this case without prejudice.

If plaintiff has not complied with this order by **April 24, 2009**, the Clerk of the Court is directed to close this case as dismissed without prejudice without further order.

**SO ORDERED.**

s/Michael A. Telesca  
MICHAEL A. TELESCA  
United States District Judge

Dated: March 9, 2009  
Rochester, New York